

Remarks

Claims 22-31 are at issue. Claims 22-31 stand rejected under 35 USC § 103 (a), as being unpatentable over Naik et al. (5548647) in view of Higgins (5339385) and further in view of Juang et al (5590242)

In order for the Examiner's argument with respect to Juang et al to have merit the preliminary decisions must be made for each of the plurality of preliminary decisions (See claim 22 and 31). Juang et al never discusses where the preliminary decisions are made. Naik et al, subblock 186 suggests averaging the scores.) If you average the Euclidean minimums you have not made a preliminary decision for each of the text utterances. Combining Juang et al and Naik suggests averaging a number of separate scores. These are not preliminary decisions. This is just a particular method of calculating an overall Euclidean distance. Claim 22 specifically requires the decisions to be either a true or a false. Juang et al never suggests that the preliminary decisions are a true or a false. The Examiner has just assumed this into Junag et al. Claims 22, 29, 30 and 31 must be allowed unless the Examiner can show a reference where preliminary decisions are made for each test utterance and the preliminary decision is a true or false.

Claim 23 requires weighting each preliminary decision. Averaging cannot be considered weighting decisions. Averaging does not imply a decision it implies a raw unevaluated score. There is no suggestion in Juang et al to weight or combine the preliminary decisions. Combining Naik et al with Juang et al does not teach or suggest to one skilled in the art to weight preliminary decisions. In fact, Juang et al teaches away from the present technique. Claim 23 is allowable over the prior art.

Claims 24 requires using a historical probability of false alarm. This not discussed in the prior art. The section pointed to by the Examiner does discuss the probability of false alarms. But it clearly does not discuss the use of historical probability of false alarms. Claim 24 is clearly allowable over the prior art.

Claim 25 requires evaluating the quality of a preliminary decision. The section pointed to by the Examiner measures the test

template against the reference template. This does not tell you the quality of the preliminary decision. If the two are not close, and it's a true speaker the quality is poor but this is not reflected in this comparison. Clearly, the section pointed to by the Examiner does not cover the limitation of this claim. Claim 25 is allowable over the prior art.

Claims 26, 27 & 28 are allowable as being dependent upon an allowable base claim.

Prompt reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

(Bossemeyer, Jr. et al.)

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